

IN RE: PETITION FOR ADMIN. VARIANCE
S/S of Chrishem Court, 140' E
of Ingleside Avenue
1st Election District
1st Councilmanic District
(5 Chrishem Court)

Heather Johnson
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 02-421-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Variance filed by Heather Johnson, legal owner, of that property known as 5 Chrishem Court in the Catonsville area of Baltimore County. The Petitioner herein seeks relief from Sections 1B01.2.C.1.b and 301 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed open projection (deck) with a 15 ft. rear and tract boundary setback in lieu of 22.5 ft. and to amend Zoning Case Nos. 98-44-SPHA and 98-309-A and the Final Development Plan of Calvert Court for Lot #3. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

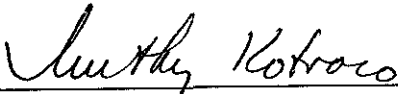
The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 25th day of April, 2002, that a variance from Sections 1B01.2.C.1.b and 301 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed open projection (deck) with a 15 ft. rear and tract boundary setback in lieu of 22.5 ft. and to amend Zoning Case Nos. 98-44-SPHA and 98-309-A and the Final Development Plan of Calvert Court for Lot #3, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

- 1) The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

COPIES RECEIVED FOR FILING
Date 4/25/02
By R. G. Mason



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

April 25, 2002

Ms. Heather Johnson
5 Chrishem Court
Catonsville, Maryland 21228

Re: Petition for Administrative Variance
Case No. 02-421-A
Property: 5 Chrishem Court

Dear Ms. Johnson:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

c: Nicholas Trey
5205 East Drive, Suite T
Baltimore, MD 21227





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 5 Chrissem Court
which is presently zoned DR 5.5 / 10.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

TO PERMIT A PROPOSED OPEN PROJECTION (ADECK) ^{1 BOI.2.C.1.6 AND 301 BCZR} WITH A 15 FT. REAR (AND TRACT BOUNDARY) ~~SETBACK~~ IN LIEU OF 22 1/2 FT, AND TO AMEND ZONING CASES 98-44-SPA AND 98-309-A AND THE FINAL DEVELOPMENT OF CALVERTON COURT FOR LOT # 3.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Heather Johnson

Name - Type or Print

Heather Johnson

Signature

Name - Type or Print

Signature

5 Chrissem Court

443-612-9997

Address

Telephone No.

BALTO.

MD.

21228

City

State

Zip Code

Representative to be Contacted:

Nicholas Trey

Name

5205 EAST DRIVE SUITE 7. 410-247-6900

Address

Telephone No.

BALTO.

MD.

21227

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this _____ day of _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 02 421 A

Reviewed By JL Date 3/29/02

REV 10/25/01

Estimated Posting Date 4/08/02

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 5 Chrisum Court
Address
BALTO. MD 21228
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

SEE ATTACHED.

That the Affiant(s) acknowledge(s) that if a formal demand is filed. Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Heather Johnson
Signature

Signature

Heather Johnson
Name - Type or Print

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 28th day of MARCH, 2002, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Heather Johnson
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Ethel L CL
Notary Public

My Commission Expires 04/04

ATTACHMENT

421

HARDSHIP & PRACTICAL DIFFICULTY

Due to an ever growing family & having 2 dogs currently. A Deck is needed & the sliding glass door is 3' ABOVE GRADE making it not useable. Also, size of yard & set back permits only a 4' x 10' Deck which is so small it would be useless for a growing family.

A21

Zoning Description For 5 Chrishem Court

Beginning at a point on the south side of
Chrishem Court which is 40' wide R/W, 140'
East of Ingleside Avenue which is 60' wide
R/W. Being Lot # 3 ~~Block~~ ~~Section~~
in the subdivision of Calverton Court as
recorded in Baltimore County Plat Book # 72,
Folio # 28 Containing 3316 Square Feet. Also
know as 5 Chrishem Court and located in
the 1~~st~~ Election District 1 Councilmanic District.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 06721

DATE

3/29/02

ACCOUNT

001 006 6150

AMOUNT \$

100.00

RECEIVED
FROM

CLASSIC REMODELING

FOR

RV & AREND

PAID RECEIPT

BUSINESS ACTION TIME
5/29/2002 3/29/2002 10:01:00

REQ US03 MAIL JEFF JEFF DRYER 2
RECEIPT # 237649 3/29/2002 JLN
Dist 5-528 ZONING VERIFICATION
CR NO. 006721

Receipt Tot \$100.00
100.00 CR 00 EA
Baltimore County, Maryland

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 02-421-A

Petitioner/Developer: HEATHER
JOHNSON

Date of Hearing/Closing: 4/23/02

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at 5 CHRISHEM CT

The sign(s) were posted on 4/8/02
(Month, Day, Year)

Sincerely,

[Signature] 4/8/02
(Signature of Sign Poster and Date)

SSG ROBERT BLACK

(Printed Name)

1508 Leslie Rd

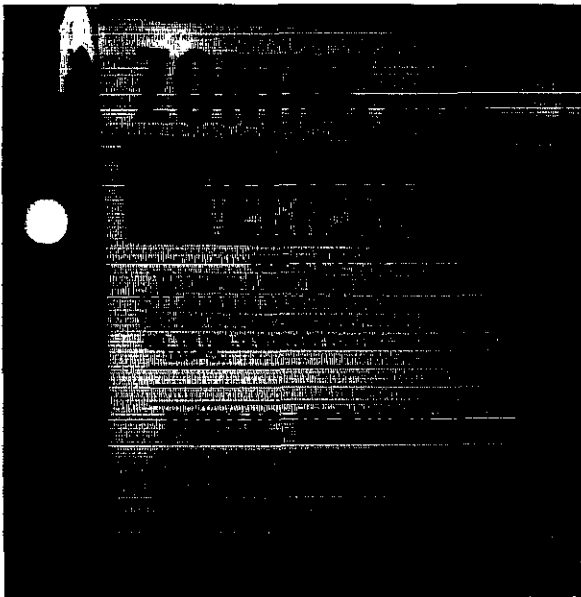
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 02-421-A

Petitioner: JOHNSON

Address or Location: 5 CHRISHEM CT.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Classic Remodeling c.o. Nicholas Tray

Address: 5205 EAST DRIVE SUITE T.
BALTIMORE MD. 21227

Telephone Number: 410-247-6900

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATESCase Number 02- 421 -A Address 5 CHRISHEM CT.Contact Person: JOHN LEWIS Phone Number: 410-887-3391
Planner, Please Print Your NameFiling Date: 3/29/02 Posting Date: 4/08/02 Closing Date: 4/23/02

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only**USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT**Case Number 02- 421 -A Address 5 CHRISHEM CT.Petitioner's Name JOHN LEWIS Telephone _____Posting Date: 4/08/02 Closing Date: 4/23/02Wording for Sign: To Permit A REAR TRACT BOUNDARY SETBACK OF 15 FT. IN
LIEU OF 22 1/2 FT FOR A PROPOSED ~~DECK~~ ATTACHED DECK AND TO AMEND
ZONING CASES 98-44-SPHA AND 98-309-A AND THE FINAL DEVELOPMENT PLAN
FOR ~~THE~~ CALVERTON COURT LOT #3

WCR - Revised 6/28/00



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

April 23, 2002

Ms. Heather Johnson
5 Chrishem Court
Baltimore MD 21228

Dear Ms. Johnson:

RE: Case Number: 02-421-A, 5 Chrishem Court

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 29, 2002.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. GDL
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Nicholas Trey, 5205 East Drive, Suite 7, Baltimore 21227
People's Counsel

Come visit the County's Website at www.co.ba.md.us




BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

DATE: May 1, 2002

FROM:  Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For April 8, 2002
Item Nos. 401, 402, 404, 405, 406,
407, 408, 409, 410, 411, 413, 414,
415, 416, 417, 418, 419, 420, 421,
422, 423 and 425

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:CEN:cab

cc: File



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

April 12, 2002

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF April 8, 2002

Item No.: See Below

Dear Mr. Zahner:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:
401, 402, 404-417, 419-425

421

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File
COUNTY REVIEW GROUP MEETING{PRIVATE }

Come visit the County's Website at www.co.ba.md.us



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon
FROM: R. Bruce Seeley
DATE: May 1, 2002

Zoning Advisory Committee Meeting of April 8, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

401, 404, 405, 406, 407, 410, 412, 413, 414, 417, 418, 420, 421, 423

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: April 15, 2002

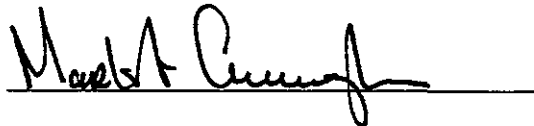
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

APR 16 2002

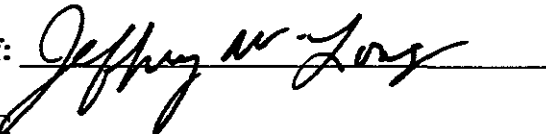
SUBJECT: Zoning Advisory Petition(s): Case(s) 02-411, 02-412, 02-421, 02-422, & 02-425

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:



Section Chief:



AFK/LL:MAC



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 4.12.02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 421

JL

Dear Mr. Zahner:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

for Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

My telephone number is _____

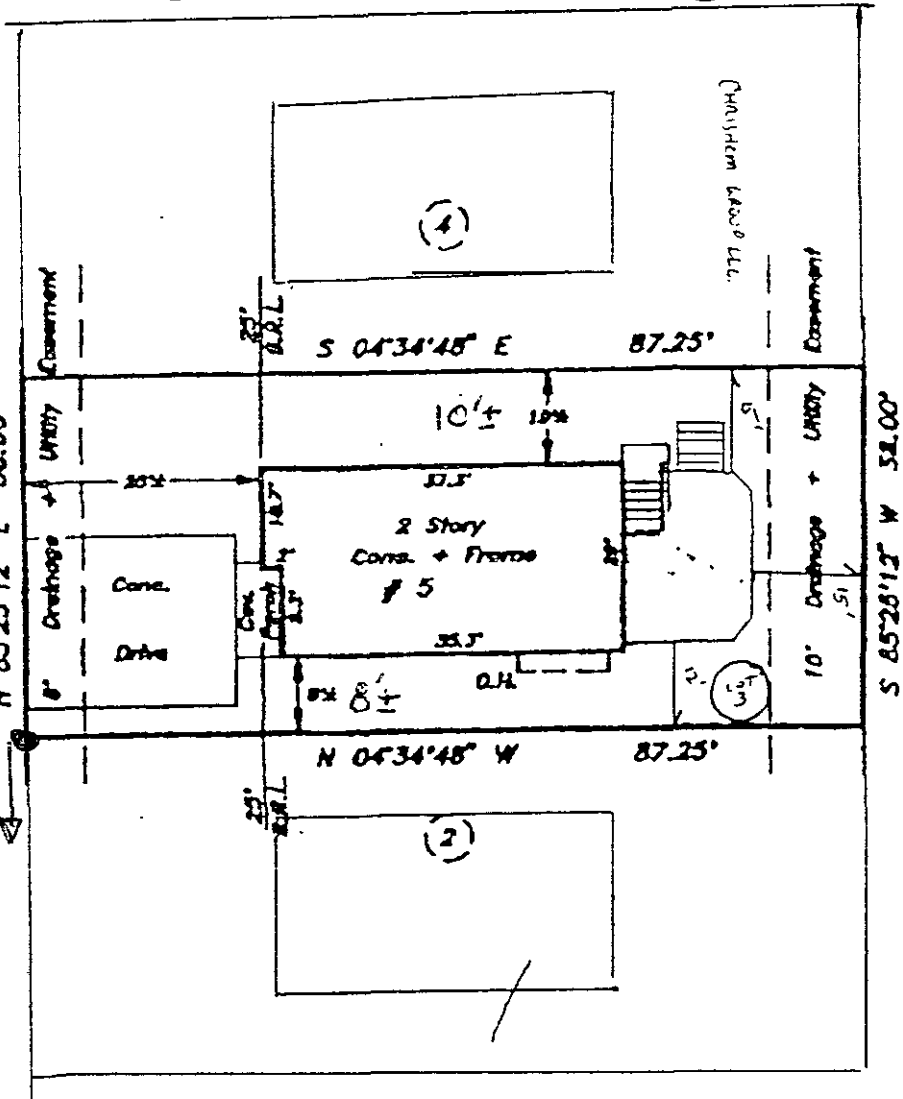
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

PROPERTY ADDRESS 5 CHRISHAM
 SUBDIVISION NAME Calverton Court
 PLAT BOOK # 72 FOLIO # 26 LOT # 3 SECTION #
 OWNER Heather Johnson



NORTH



PREPARED BY Nick Tico

CHRISHAM COURT

SCALE OF DRAWING: 1" = 20'



VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 1
 COUNCILMANIC DISTRICT 1

1" = 200' SCALE MAP # SW F2
 ZONING DR 10.5/5.5

LOT SIZE .0745 3316 4
 ACREAGE 3316 4
 SQUARE FEET

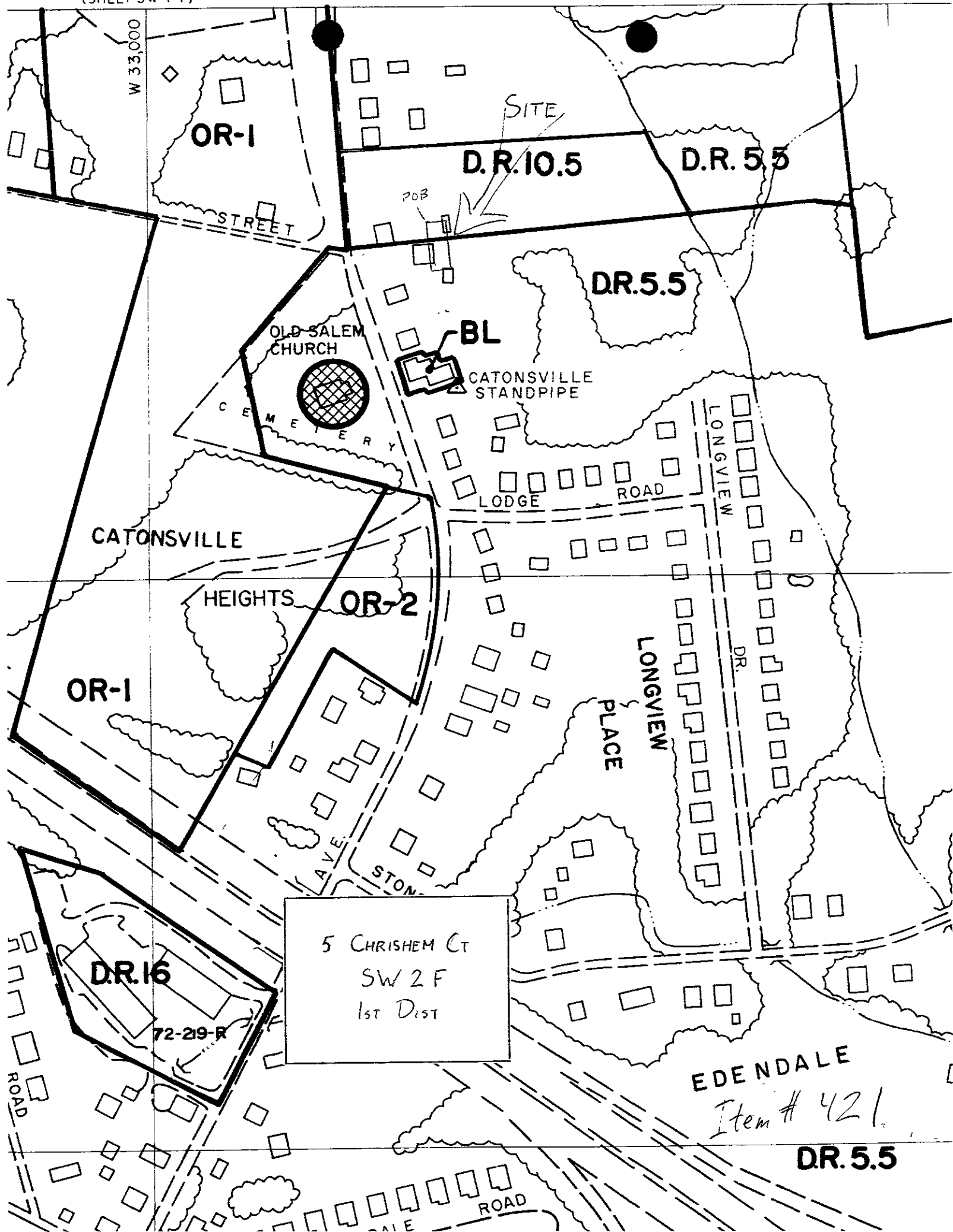
SEWER ☒ PUBLIC ☐ PRIVATE
 WATER ☒ ☐

CHESAPEAKE BAY CRITICAL AREA ☐ YES ☒ NO
 100 YEAR FLOOD PLAIN ☐ ☒
 HISTORIC PROPERTY/ BUILDING ☐ ☒
 PRIOR ZONING HEARING 98-44-SP4 A
98-309 A

ZONING OFFICE USE ONLY
 REVIEWED BY ITEM # CASE #

A21

Rel. Ex #1



421



Left side of rear yard

421



Right side of rear yard